

**STATE OF NORTH CAROLINA
COUNTY OF DURHAM**

**AMENDMENT TO HOME CONSTRUCTION/PERMANENT LOAN
AGREEMENT WITH
ROCKWOOD AH-1 LIMITED PARTNERSHIP**

This contract amendment ("Amendment") is dated and entered into as of the _____ day of _____, 2013, between Rockwood AH-1 Limited Partnership ("Rockwood") and the City of Durham ("City").

The City and Rockwood entered into an Agreement, entitled "HOME Construction/Permanent Loan Agreement" on March 28, 1994. That Agreement is referred to as the "Original Agreement". The Original Agreement is hereby amended as follows:

Paragraph 1.17 Eligible Tenant: as written in the Original Agreement is deleted and is replaced with new paragraph 1.17 as written below.

1.17 Eligible Tenant. means a person or family intending to rent and reside in a Multi-Family Dwelling Unit whose Annualized Gross Income (as computed at the time of application of such person and before taxes and withholdings), does not exceed 60% of the HUD-determined Median Family Income for the Durham Metro region at the time of initial occupancy. Six units are additionally restricted to 50% of the Median Family Income.

Except as amended herein, the terms and conditions of the Agreement are reaffirmed by the parties and remains in full force and effect.

CITY OF DURHAM

By _____

Thomas J. Bonfield, City Manager

ATTEST:

CITY OF DURHAM

City Clerk

**ROCKWOOD AH-1 LIMITED
PARTNERSHIP**

By _____

James W. Pou, General Partner

**NORTH CAROLINA
DURHAM COUNTY**

I, _____ a Notary Public in and for the aforesaid County and State certify that _____ personally appeared before me this day, and acknowledged that he or she is the City Clerk of the City of Durham, a municipal corporation, and that by authority duly given and as the act of the City, the foregoing Contract or Agreement was signed in its corporate name by its City Manager, sealed with its corporate seal, and attested by its said City Clerk or Deputy City Clerk. This the _____ day of _____ 2013.

Notary Public

My Commission Expires

**NORTH CAROLINA
DURHAM COUNTY**

I, _____ a Notary Public in and for the aforesaid County and State, certify that _____ personally appeared before me this day and stated that he is a General Partner of Rockwood AH-1 Limited Partnership, a North Carolina limited partnership, and that by authority duly given and as the act of the Limited Partnership, the foregoing contract or agreement with the City of Durham was signed in its name by him all of behalf of and as an act of the partnership. This the _____ day of _____, 2013.

Notary Public

My Commission Expires

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

City's Finance Officer

Date _____